

**REGULAR MEETING
FEBRUARY 20, 2003**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, February 20, 2003, at the hour of 7:00 PM. Those present were Commissioners: Larry Branham, Larry Brown, Kevin Gunderson, Don Maxwell and Mayor Stephen E. Gilmore, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Mark Osborne, Fire Chief; Tom Kelley, Chief of Police; Tony Grubb, Finance Director; Steve Corbitt, Director of Public Services; Jim Shaw, Director of Planning and Community Development; Greg Rice, Safety/Risk/Insurance Manager; and Reporters.

The invocation was given by Commissioner Brown.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the amended agenda of February 20, 2003. Motion was made by Branham, seconded by Maxwell, to receive and file the agenda. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report –

Director of Public Services Corbitt reported on pothole repair. He explained additional shifts had been scheduled. Also, the State Department of Transportation is allowed access to the public works frequency so communication between the two agencies can occur. Mr. Corbitt included information on the amount of rock salt used for street cleanup and additional orders.

Mayor and City Commissioners' Comments –

Mayor Gilmore reported on the trip yesterday to Frankfort. He, City Manager Fisher, Director of Public Services Corbitt and Commissioner Branham had a morning meeting with the insurance commissioner. Ms. Miller agreed to follow up with a letter from her department to the City's list of largest offenders in payment of the insurance premium tax. The afternoon meeting dealt with water/sewer operations.

Commissioner Maxwell asked how much money the City would lose with the elimination of court fees paid. The amount is \$26,000.00.

Commissioner Gunderson explained the portion of money from district court fees formerly paid to cities would now go to jails.

Commissioner Branham echoed the productiveness of the meetings in Frankfort and stated that service as a Commissioner was a never-ending learning process.

Commissioner Gunderson reported he would be requesting reactivation of the existing Cable TV Committee.

Commissioner Maxwell suggested that property tax bills request insurance company name as a way to audit. Corporation Counsel Martin stated the idea would be reviewed prior to printing of the bills.

Commissioner Maxwell also requested that Chief Kelley increase enforcement of red light violations.

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PUBLIC PARTICIPATION

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Bob Blankenship, 2726 Terrace Boulevard, Principal at Poage Elementary School, appeared before the Commission on behalf of Tandy Wellman, a teacher at Poage. Ms. Wellman and her class have prepared a grant proposal regarding a dog park with appropriate exercise equipment for animals and placement of doggie bags on posts for use by pet owners. Two students, Chelsea Diedrich, 236 W. New Buckley Road, and Paige Fosson, 2910 Cumberland Avenue, read their letters seeking support for the project. The Commission referred the project to the Park Board for consideration.

Terri Tomondi, 101 Clinton Street, Russell, and Tonya Meadows, 1117 Shelby Avenue, presented additional documentation on a "dog park" including a drawing from Huntington, West Virginia and pictures from a park at Myrtle Beach, South Carolina. The suggestion for an ideal location was made for Armco Park near the amphitheater. City Manager Fisher recalled he had promised to look at the location with Terri and Tonya and Judge Scott when he was fully recuperated and in better weather conditions.

Jim Lewis, Westwood, addressed the Commission about recyclers being paid for materials brought to Mansbach Metal and Rumpke Recycling that do not have business licenses. Mr. Lewis suggested a requirement for a tax number and picture identification and purchase of the business privilege license. Corporation Counsel Martin and Finance Director Grubb will prepare a report for review by the Commission.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 11, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND ADAMS ROBINSON ENTERPRISES, INC. FOR THE WATER TREATMENT PLANT IMPROVEMENTS – PHASE II FOR THE DEPARTMENT OF PUBLIC SERVICES.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Adams Robinson Enterprises, Inc., 2735 Needmore Road, Dayton, OH, for the Water Treatment Plant Improvements – Phase II in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 11, 2003 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. 11, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 12, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH BRENNTAG MID-SOUTH, INC. FOR A ONE-YEAR SUPPLY OF LIQUID CAUSTIC SODA, POWDERED ACTIVATED CARBON, LIQUID CHLORINE AND SULFUR DIOXIDE AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Brenntag Mid-South, Inc., 319 1st Street North, St. Albans, WV, to provide a one-year supply of liquid caustic soda, powdered activated carbon, liquid chlorine and sulfur dioxide in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 12, 2003 CONTINUED

MOTION

Motion was made by Maxwell, seconded by Branham, to adopt Ordinance No. 12, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 13, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH CHEMICAL RESOURCES, INC. FOR A ONE-YEAR SUPPLY OF HYDROFLUOSILICIC ACID AND POTASSIUM PERMANGANATE AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER TREATMENT AND WATER PRODUCTION.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Chemical Resources, Inc., 4569 Knopp Avenue, Louisville, Kentucky, to provide a one-year supply of hydrofluosilicic acid and potassium permanganate in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:
READOPTED BY THE BOARD OF COMMISSIONERS:
PUBLISHED:

February 6, 2003
February 20, 2003

MOTION

Motion was made by Gunderson, seconded by Branham, to adopt Ordinance No. 13, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 14, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 14, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH GENERAL CHEMICAL CORP. FOR A ONE-YEAR SUPPLY OF POLY-ALUMINUM CHLORIDE AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and General Chemical Corp., 90 E. Halsey Road, Parsippany, NJ, to provide a one-year supply of poly-aluminum chloride in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2003
PUBLISHED:	

MOTION

Motion was made by Maxwell, seconded by Branham, to adopt Ordinance No. 14, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 15, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 15, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH GEO SPECIALTY CHEMICAL FOR A ONE-YEAR SUPPLY OF ALUMINUM SULFATE AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and GEO Specialty Chemical, P. O. Box 190467, Little Rock, AR, to provide a one-year supply of aluminum sulfate in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2003
PUBLISHED:	

MOTION

Motion was made by Brown, seconded by Branham, to adopt Ordinance No. 15, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 16, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 16, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH GREER INDUSTRIES, INC. FOR A ONE-YEAR SUPPLY OF 3/4" PEBBLE LIME AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WATER PRODUCTION AND WASTEWATER TREATMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Greer Industries, Inc., P. O. Box 1900, Morgantown, WV, to provide a one-year supply of 3/4" pebble lime in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2003
PUBLISHED:	

MOTION

Motion was made by Branham, seconded by Gunderson, to adopt Ordinance No. 16, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 17, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 17, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH POLYDYNE, INC. FOR A ONE-YEAR SUPPLY OF LIQUID POLYMER AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISIONS OF WASTEWATER TREATMENT AND WATER PRODUCTION.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Polydyne, Inc., 1 Chemical Plant Road, Riceboro, GA, to provide a one-year supply of liquid polymer in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2003
PUBLISHED:	

MOTION

Motion was made by Maxwell, seconded by Branham, to adopt Ordinance No. 17, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. _____, 2003

SECOND READING ONLY
TABLED

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND LIGHT'S ENTERPRISES, INC. FOR ALL LABOR & MATERIALS FOR TREE TRIMMING FOR A TWO (2) YEAR PERIOD FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF STREETS.

MOTION

Motion was made by Branham, seconded by Maxwell, to adopt Ordinance No. _____, 2003, at this its second reading.

MOTION TO TABLE

Motion was made by Brown, seconded by Maxwell, to table the second reading until the next regular meeting. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 18, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 DATED JANUARY 31, 2003, BETWEEN THE CITY OF ASHLAND, KENTUCKY AND KENTUCKY POWER COMPANY FOR A CONTRACT DATED OCTOBER 17, 2002 REGARDING THE LINEAR PARK LIGHTING PROJECT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 dated January 31, 2003 in the contract dated October 17, 2002 and authorized by Ordinance No. 101, 2002 between the City of Ashland, Kentucky and Kentucky Power Company for the Linear Park Lighting Project is hereby approved as follows:

Change Order No. 1 – Dated January 31, 2003 - Need three additional lights to complete entire area of park

Original Contract Price	\$50,350.00
Net Change in Contract Price -	<u>\$ 6,480.00</u> increase
New Contract Price -	\$56,830.00

A true copy of Change Order No. 1 is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 18, 2003 CONTINUED

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Branham, to adopt Ordinance No. 18, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Abstain – Commissioner Brown. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 19, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 DATED JANUARY 27, 2003 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND KYOVA ELECTRICAL SERVICES, INC. FOR A CONTRACT DATED JUNE 21, 2002 REGARDING THE ROBERTS DRIVE PUMP STATION CONTROLS.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 dated January 27, 2003, in the contract dated June 21, 2002 and authorized by Ordinance No. 53, 2002 between the City of Ashland, Kentucky and KYOVA Electrical Services, Inc. for the Roberts Drive Pump Station Controls is hereby approved as follows:

Change Order No. 1 – Dated January 27, 2003

Original Contract Price	\$37,600.00
Increase this Change Order	<u>2,600.00</u>
New Contract Price	\$40,200.00

A true copy of Change Order No. 1 is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 19, 2003 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

MOTION

Motion was made by Maxwell, seconded by Branham, to adopt Ordinance No. 19, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 20, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING THE CORPORATION COUNSEL OF SAID CITY TO INSTITUTE AN ACTION IN THE BOYD CIRCUIT COURT TO CLOSE A 15 FT. ALLEY LOCATED IN THE BATESVILLE SUBDIVISION FACING MCGURK STREET IN THE CITY OF ASHLAND, BOYD COUNTY, KENTUCKY, AND PROVIDING THAT ALL COSTS OF SUCH ACTION SHALL BE PAID BY LEE F. BARRETT.

* * * * *

WHEREAS, the Board of Commissioners of the City of Ashland, Kentucky, has received a recommendation from the Director of Planning & Community Development of said City, recommending the closing of a 15 ft. alley located in the Batesville Subdivision lying between Lot No. 7 of Block No. 4 facing upon McGurk Street and Lot No. 11 of Block No. 5 facing upon Carroll Street in the City of Ashland, Boyd County, Kentucky, within the corporate limits of said City. The portion to be closed is described as follows:

Being a 15 ft. wide alley located in the Batesville Subdivision, in Ashland, Boyd County, Kentucky, and lying between Lot No. 7 of Block No. 4 facing upon McGurk Street, and Lot No. 11 of Block No. 5 facing upon Carroll Street and being more particularly described as follows:

Unless stated otherwise, any property corner or line monument referred to herein as iron pin w/cap is a 5/8 inch diameter rebar, eighteen (18”) inches in length, set with a yellow plastic identification cap stamped “Paul Rogers, PLS 2175”.

BEGINNING at an iron pin w/cap set at the southeasterly corner of Lot No. 7 of Block No. 4 in the Batesville Subdivision, said iron pin also being the point of intersection of the northwesterly right-of-way line of McGurk Street with the southwesterly right-of-way line of a 15 ft. wide alley;

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 20, 2003 CONTINUED

THENCE leaving the northwesterly right-of-way line of McGurk Street and running with the southwesterly line of said alley, North 50°-25'-00" West, 150.00 ft. to an iron pin w/cap set at the northeasterly corner of Lot No. 7 as referenced above;

THENCE leaving the northeasterly corner of said lot, and crossing the alley, North 45°-20'-00" East, 15.08 ft. to a point in the southwesterly line of Lot No. 11 of Block No. 5 of the Batesville Subdivision and being the northeasterly right-of-way line of said 15 ft. wide alley;

THENCE with the southwesterly line of said lot and running with the northeasterly line of said alley, South 50°-25'00" East, 150.00 ft. to a point in the northwesterly right-of-way line of McGurk Street;

THENCE with the northwesterly right-of-way line of McGurk Street and crossing said alley, South 45°-20'-00" West, 15.08 ft. to the **POINT OF BEGINNING** and containing 2,250 square feet (0.0517 acres) as surveyed and monumented by Paul Rogers, PLS #2175, on November 9, 2002.

WHEREAS, a public hearing before said Planning Commission was duly advertised and held on Tuesday, January 21, 2003, as required by law, and

WHEREAS, all other legal requirements have been duly met;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the 15 ft. alley located in the Batesville Subdivision lying between Lot No. 7 of Block No. 4 facing upon McGurk Street and Lot No. 11 of Block No. 5 facing upon Carroll Street hereinabove described shall be forever closed as a public way of the City of Ashland, Kentucky, and Richard W. Martin, Corporation Counsel of the City of Ashland, Kentucky, is hereby authorized and instructed to institute an action in the Boyd Circuit Court to close the above described portion of right-of-way in the City of Ashland, Boyd County, Kentucky, subject to all existing utilities and easements within the portion of the alley to be closed.

SECTION 2. A plat showing the 15 ft. alley located in the Batesville Subdivision lying between Lot No. 7 of Block No. 4 facing upon McGurk Street and Lot No. 11 of Block No. 5 facing upon Carroll Street which is authorized by this ordinance to be closed is attached hereto as part hereof and shall remain on file in the office of the City Clerk of the City of Ashland.

SECTION 3. The property owners whose land abuts upon the 15 ft. alley located in the Batesville Subdivision lying between Lot No. 7 of Block No. 4 facing upon McGurk Street and Lot No. 11 of Block No. 5 facing upon Carroll Street herein authorized to be closed, Lee F. Barrett and Orville Smith, shall be named as the defendants in such action brought by the City of Ashland.

SECTION 4. By agreement with said property owners, the expense of publication of this ordinance and all costs of the court action herein authorized shall be borne by the Lee F. Barrett.

SECTION 5. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 7. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 20, 2003 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gunderson, to adopt Ordinance No. 20, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 21, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 1 OF ORDINANCE NO. 155, SERIES OF 1984, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 110, SERIES OF 1989, ORDINANCE NO. 80, SERIES OF 1994 AND ORDINANCE NO. 39, SERIES OF 1996, ESTABLISHING TWO HOUR PARKING LIMITS AND FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 1 of Ordinance No. 155, series of 1984, as previously amended by Ordinance No. 110, Series of 1989, Ordinance No. 80, Series of 1994 and Ordinance No. 39, Series of 1996, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, LIMITING PARKING OF MOTOR VEHICLES TO TWO-HOUR INTERVALS ALONG THE NORTH AND SOUTH SIDES OF WINCHESTER AVENUE FROM TWENTY-FIRST STREET TO TWENTY-THIRD STREET AND THE 200 BLOCK OF TWENTIETH STREET AND FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE”, be and said section is hereby amended to read as follows, such amendments shown by a single broken line through all deleted language and by underscoring all newly inserted language:

SECTION 1. That from and after the effective date of this ordinance, parking of motor vehicles shall be limited to two-hour intervals from 9:00 a.m. to 5:00 p.m., except on Sunday, Memorial Day, July 4th, Labor Day, Thanksgiving Days, Christmas Day, and New Years Day, upon certain streets within the City of Ashland, as follows:

- (a) SOUTH SIDE OF WINCHESTER AVENUE, 2100 block
~~from the east line of Twenty first Street to the west line of~~
~~Twenty-third Street;~~
- (b) NORTH SIDE OF WINCHESTER AVENUE, from the
west line of Twenty-third Street to the east line of Twenty-
first Street;

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 21, 2003 CONTINUED

- (c) TWENTIETH STREET, beginning with the intersection of Twentieth Street and Greenup Avenue in a southerly direction, both sides of Twentieth Street, to an alley (said alley lying between and running parallel to Greenup Avenue and Winchester).
- (d) SOUTH SIDE OF WINCHESTER AVENUE, 1800 block
- (e) NORTH AND SOUTH SIDE OF WINCHESTER AVENUE, 1900 and 2000 blocks
- (f) EAST SIDE OF NINETEENTH STREET, 200 block, from Greenup Avenue to alley on west side
- (g) WEST SIDE OF TWENTIETH STREET, 200 block from alley to Winchester Avenue
- (h) NORTH AND SOUTH SIDE OF GREENUP AVENUE, ~~1800 and~~ 1900 blocks
- (i) NORTH SIDE OF GREENUP AVENUE, 2000 block
- (j) 29TH STREET, both sides from Holt Street to Moore Street.
- (k) WEST SIDE OF 17TH STREET, from Central Avenue to Bath Avenue.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2003
PUBLISHED:	

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. 21, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 22, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 22, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 3120 OLD 13TH STREET FROM B-1, BUSINESS/NEIGHBORHOOD, TO R-4, RESIDENTIAL/HIGH DENSITY.

* * * * *

WHEREAS, a request has been received from Jane Horne for the rezoning of property located at 3120 Old 13th Street from B-1 Business/Neighborhood, to R-4, Residential/High Density, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application on December 17, 2002; and on the basis of evidence presented thereat made certain factual determinations and concluded therefrom that the proposed change should be denied; and made such recommendation to the Ashland Board of City Commissioners, and

WHEREAS, a Resolution adopting the recommendation of the Ashland Planning Commission was on the agenda and presented at the regular meeting of January 14, 2003 of the Ashland Board of City Commissioners, and

WHEREAS, the Board heard presentation from the applicant, Jane Horne, through her legal counsel and heard argument from counsel for Mr. And Mrs. Joe Dixon, the Board then discussed the Planning Commission's recommendation, heard from staff and voted to deny the Planning Commission's recommendation, and

WHEREAS, thereafter the Board voted to adopt a finding of fact that the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate due to the location of the property being adjacent to or near commercial properties, multi-family dwellings and the YMCA, and

WHEREAS, the applicant expressed a willingness that the property in question be restricted to four (4) apartments, and

WHEREAS, if the owner was in agreement with such restrictive covenant, that the Board would approve the requested zoning change;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. On the basis of the aforementioned factual determination made by the Ashland Board of City Commissioners and with the agreement of the applicant to enter into a restrictive covenant limiting the property to four (4) apartments, and that the parking for the apartments be located in the off-street spaces on the street level, and pursuant to KRS Chapter 100, that the official Zoning Ordinance of the City of Ashland, No. 101, series of 1986 and the official Zoning Map which is a part thereof, be hereby amended as follows:

The zoning classification of property located at 3120 Old 13th Street is hereby changed from B-1 Business/Neighborhood to R-4 Residential/High Density.

SECTION 2. The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. 22, 2003 CONTINUED

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Maxwell, to adopt Ordinance No. 22, 2003, at this its second reading.

DISCUSSION

Anna Ruth, Attorney representing Joe & Cynthia Dixon, property owners of adjoining property, reiterated all prior comments in opposition and stated it was spot zoning of one particular lot.

VOTE

Upon roll call, voting aye were Commissioners Branham, Gunderson, Maxwell and Mayor Gilmore. Nay – Commissioner Brown. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT CREATING A RESTRICTIVE COVENANT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND ANTHONY L. AND MINERVA JANE HORNE REGARDING PROPERTY AT 3120 OLD 13TH STREET.

MOTION

Motion was made by Gunderson, seconded by Maxwell, to adopt Ordinance No. _____, 2003, at this its first reading.

DISCUSSION

Anna Ruth requested that on Item 2 – “The parking for said apartments shall be located on the off-street parking on the street level.” That the word “only” be added.

VOTE

Upon roll call, voting aye were Commissioners Branham, Gunderson, Maxwell and Mayor Gilmore. Nay – Commissioner Brown. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003

DISCUSSION ITEM

DISCUSSION

Sign ordinance appeal by Francis A. Guffey, II, FAIA at 1240 Winchester Avenue – Motion was made by Maxwell, seconded by Gunderson, to approve the appeal. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed. Note: Primary sign at corner – 127 sq. ft. total; Sign at back corner – reader board only 48.5 sq. ft. Total is below 200 sq. ft.

OTHER OLD BUSINESS

Mayor Gilmore announced that due to the fact the former AEP building was being considered as a possible relocation for the City building, an open house had been scheduled for March 1 from 1:00 – 3:00 PM. Both the AEP building and City building will be open for tours with a shuttle bus for passengers between the two facilities.

Boyd County will host the next city/county meeting and notification will be made as soon as the meeting is scheduled.

CONSENT AGENDA

RESOLUTION NO. 8, 2003

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **FEBRUARY 20, 2003**.

* * * * *

BE IT RSOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the “Consent Agenda” for the meeting of **February 20, 2003**. Attached hereto and incorporated herein, as if set out in full, is a copy of the “Consent Agenda” hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003

MOTION

Motion was made by Branham, seconded by Brown, to adopt Resolution No. 8, 2003.

REGULAR MEETING FEBRUARY 20, 2003
CONSENT AGENDA CONTINUED

MOTION TO TABLE

Motion was made by Maxwell, seconded by Gunderson, to table item (c) with information to be supplied about use of the car purchased one year ago and explanation of the type of vehicle recommended. Corporation Counsel Martin will seek extension of the time the bid price is in effect. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

VOTE ON MOTION TO ADOPT

Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

NEW BUSINESS

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND DON HALL GM SUPERCENTER REGARDING AN ENCROACHMENT FOR THE INSTALLATION OF A SIGN AT 1800 GREENUP AVENUE ON THE CITY’S RIGHT-OF-WAY.

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. _____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND PAUL REYNOLDS REGARDING AN ENCROACHMENT FOR A RETAINING WALL AND FILL ON THE CITY’S RIGHT-OF-WAY AT 3225 WINCHESTER AVENUE.

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. _____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
ORDINANCE NO. __, 2003

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND UNITED PROPERTIES, LLC REGARDING A PARKING ENCROACHMENT AT THE CORNER OF 22ND STREET AND CARTER AVENUE ON THE CITY'S RIGHT-OF-WAY.

MOTION

Motion was made by Gunderson, seconded by Maxwell, to adopt Ordinance No. ____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND, DEPARTMENT OF FIRE, AND GREGORY SCOTT EASTHAM, M.D., DESIGNATING HIM AS THE MEDICAL DIRECTOR OVERSEEING THE AUTOMATIC EXTERNAL DEFIBRILLATOR PROGRAM AND EMT TRAINING.

MOTION

Motion was made by Branham, seconded by Maxwell, to adopt Ordinance No. ____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

READING AND ADOPTION

RESOLUTION NO. 9, 2003

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, WAIVING THE 60-DAY DEADLINE FOR THE ACCEPTANCE OF THE ELECTRIC FRANCHISE BY KENTUCKY POWER COMPANY d/b/a AMERICAN ELECTRIC POWER AND ACKNOWLEDGING SAID ACCEPTANCE.

* * * * *

WHEREAS, the City of Ashland, Kentucky granted the electric franchise to Kentucky Power Company, d/b/a American Electric Power, for a period of ten years pursuant to Ordinance No. 69, Series of 2002;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING FEBRUARY 20, 2003
RESOLUTION NO. 9, 2003 CONTINUED

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky hereby waives the 60-day deadline for the acceptance of the electric franchise by Kentucky Power Company, d/b/a American Electric Power, and acknowledges the receipt of said acceptance.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 20, 2003

MOTION

Motion was made by Gunderson, seconded by Maxwell, to adopt Resolution No. 9, 2003. Upon roll call, voting aye were Commissioners Branham, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Abstain – Commissioner Brown. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROVIDING FOR THE ORDERLY SUCCESSION OF THE OFFICE OF THE MAYOR OF THE CITY OF ASHLAND, KENTUCKY, IN THE EVENT OF A NATIONAL OR STATE EMERGENCY AND REPEALING ORDINANCE NO. 66, SERIES OF 2001.

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. _____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 8 OF ORDINANCE NO. 23, SERIES OF 2002, COMMONLY KNOWN AND REFERRED TO AS THE “COMPREHENSIVE HIRING ORDINANCE FOR POLICE OFFICERS FOR THE DEPARTMENT OF POLICE”.

MOTION

Motion was made by Branham, seconded by Gunderson, to adopt Ordinance No. _____, 2003, at this its first reading. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003

DISCUSSION ITEMS

DISCUSSION ITEMS

Request for limited use of public right-of-way by Home Supply & Awnings for Phillip Hieronimus at 1909 Greenup Avenue – Motion was made by Brown, seconded by Gunderson, authorizing the preparation of an ordinance. Upon roll call, voting aye were Commissioners Branham, Brown and Gunderson. Nay – Commissioner Maxwell and Mayor Gilmore. Motion passed.

Sign ordinance appeal and request for limited use of public right-of-way by Richard T. Brislin, 1125 Winchester Avenue – Motion was made by Maxwell, seconded by Gunderson, to grant the waiver and prepare an ordinance for a right-of-way agreement. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

Sign ordinance appeal and request for limited use of public right-of-way at the intersection of Roberts Drive and Blackburn Avenue by Kathy Kellogg, Timeless Treasures, 5850 U.S. 60 Summit Plaza – Motion was made by Maxwell, seconded by Branham, to deny this request. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

Sign ordinance appeal and request for limited use of public right-of-way at 907 Winchester Avenue by David Young, Young Signs – Motion was made by Gunderson, seconded by Maxwell, to approve the appeal and prepare an ordinance. **Discussion:** Clayton Hill, Pollock's Jewelry Store sign to be installed by David Young. **Vote:** Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

Sign ordinance appeal by John Sebastian, Clark's Pump-n-Shop at 3000 Greenup Avenue – Motion was made by Maxwell, seconded by Branham, to table this item. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

APPOINTMENTS

Motion was made by Maxwell, seconded by Gunderson, approving the Mayor's appointment of the following:

Code Enforcement Board

Ann Fultz – March 1, 2003 – March 1, 2006
Ken Staten – March 1, 2003 – March 1, 2005
Wickliffe R. Powell – March 1, 2003 – March 1, 2006
Thelma Keeton – March 1, 2003 – March 1, 2005

Comprehensive Plan Advisory Committee

Jack VanHoose – Expiring December 31, 2004
Polly Judd Rideout – Expiring December 31, 2004

Ashland Main Street Board of Directors

Mayor Stephen E. Gilmore – February 20, 2003 – December 31, 2004

Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 20, 2003
APPOINTMENTS CONTINUED

ADDITIONAL APPOINTMENT

Motion was made by Branham, seconded by Maxwell, to appoint Howard Harrison, 1340 Nichols Place, to the Streetscape Committee. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

EXECUTIVE SESSION

Motion was made by Brown, seconded by Maxwell, to go into Executive Session at 8:35 PM to discuss collective bargaining. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 9:14 PM and Mayor Gilmore announced that the only item discussed was collective bargaining with no final action taken.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 9:14 PM.

STEPHEN E. GILMORE
MAYOR

ATTEST:

DEBORAH MUSSER
CITY CLERK